



MINUTES OF THE SEX OFFENDER RESIDENCY BOARD

WEDNESDAY, OCTOBER 20, 2021, 4:00 PM
Virtual Meeting. Public may join via Zoom.

A. ZOOM MEETING INFORMATION.

I. This item contains documents which provide call in information and instructions for the Zoom meeting.

B. ROLL CALL.

Present: Fay Boerschinger, Dominique McQueen, Pete Shedlosky, Heidi Michel, Excused: Renee Keehan

C. APPROVAL OF THE AGENDA.

I. Approval of the agenda for the October 20, 2021 meeting of the Sex Offender Residency Board.

Moved by Fay Boerschinger, seconded by Board Member Pete Shedlosky to Approve .
Motion Passed.

Yes- Heidi Michel, Fay Boerschinger, Pete Shedlosky, Dominique McQueen, No- None, Abstain- None.

D. APPROVAL OF MINUTES.

I. Approval of the minutes from the September 15, 2021 meeting of the Sex Offender Residency Board.

Moved by Board Member Pete Shedlosky, seconded by Board Member Dominique McQueen to Approve.
Motion Passed.

Yes- Heidi Michel, Fay Boerschinger, Pete Shedlosky, Dominique McQueen, No- None, Abstain- None.

E. REGULAR BUSINESS.

I. Appeal of Jason P. Holl requesting to move to 425 5th Street (Ald. Johnson)

Moved by Board Member Heidi Michel, seconded by None to Deny.

Motion Failed.

Yes- None, No- None, Abstain- None.

Moved by Board Member Dominique McQueen, seconded by Board Member Pete Shedlosky to Approve address specific for 30 days.

Motion Passed.

Yes- Fay Boerschinger, Pete Shedlosky, Dominique McQueen, No- Heidi Michel, Abstain- None.

F. PUBLIC HEARINGS.

G. INFORMATIONAL.

I. The next meeting date is November 17, 2021 at 4:00 p.m.

H. ADJOURNMENT.

Moved by Board Member Pete Shedlosky, seconded by Board Member Dominique McQueen to Adjourn.

Motion Passed.

Yes- Heidi Michel, Fay Boerschinger, Pete Shedlosky, Dominique McQueen, No- None, Abstain- None.

VERBATIM MINUTES

And my sex offender, residency board meeting. We'll start off with roll call. Are we clear all of us.

- Yes I will draft the minutes

- Okay. Then I will need a approval of the agenda for the October 20th meeting.

- I removed some faults

- Is there a second?

- Aye, second

- Okay. All in favor. Aye.

- Aye.

- Aye.

- Opposed.

- Okay. I need a motion to approve the minutes from the September 15 meeting of the sex offender, residency board.

- I'm making motion

- Who's our second?

- Aye, second

- Aye in favor

- Okay. We will go onto a regular business, which the first and only appeal we have today is Jason Hall requesting to move to senior it's 4 25. That's straight. Am I correct?

- Yes

- Okay. So Jason, it appears that this is your first time appearing before the board, is that correct?

- Yes it is

- Okay. So we're going to ask you to explain what you were convicted of the circumstances surrounding the situation and what led to your arrest. We do ask that you not refer to the victim by name or by relationship. Okay?

- Okay

- All right. So yes, if you could go us what you were convicted of and what happened.

- I was convicted of second degree sexual assault of a child. What had happened was that morning, I went upstairs and intended on giving her a back rub right now. My case is currently under appeal, I had given the, the board a copy of the judgment or the decision by even for third court of appeals saying that my case has American.

- Okay. So you were convicted as second dumped is you're saying that you intended to give a back rub, but it sounds like there was more to it than a back rub according to the victim.

- According to the victim. Yes. She said, I touched her breast and in court she said I massaged her, the DA said I massaged her breast.

- And would, that was a one-time situation?

- Yes it was

- And so you received a five years incarceration for that?

- Yes I did

- And then.

- On years extended supervision.

- Correct. Right now I'm living in a TLB at the end of this month, I'll be required to leave according to the landlord for the apartment that I'm asking to move to, he has had sex offenders lived there prior police that's what he informed me of, working at fighter tech, trying to get my life back on track. I have the support of my family. My brother called in my daughter was going to try and appear also on zoom, but she is not able to get it to work. And my direct supervisor was gonna appear on zoom, but apparently he is not able to get it to work either.

- Okay. So as we do go back to your charges again. So how did the police get involved.

- Over a week after the event The victim and her mother, along with some other family members went to the police department.

- And then the police arrived at your home?

- Yes. And questioned me and proceeded to take me into custody.

- Okay. And then when you went to trial, did you go to trial or did you take a plea?

- I went to trial.

- Okay. All right. Does any of the board have questions for Jason or I'd like to just confirm with Amanda Ebel that everything is accurate as to what he's saying?

- According to the list they're correct

- Okay. Thank you. Or do you have any questions? So you have served five years?

- Yes I have.

- And when were you released?

- I was released August 3rd.

- Did you participate in any treat Ms. Sexual offender treatment bank thing? Yeah. Do you want to discuss that right now?

- Oh..

- hold on Jason. Don't say anything. So Jason will have the opportunity. When we ask you about treatment to do that in closed session or public session, what would you prefer to do?

- I would do it in either session It does not matter.

- Okay. Well then we'll just stay in public sessions since it doesn't matter. And then they, you can go ahead and ask your question.
- Did you participate in any sexual offender treatment?
- I was not offered treatment because my case is under appeal.
- When did you file the appeal?
- The appeal was filed immediately after our, immediately at the, My trial attorney filed it.
- Rachel, are you familiar with the way this appeal works? I'm not real knowledgeable in the area of the appeals.
- Looking to pull it up on C cap to see, I mean, C cap is the circuit court record, but I'm on the court of appeals version to see if I can get any kind of timeline as far as when raised her file. That kind of thing.
- Yeah, because it looks like according to the document that he provided us, that was dated October 5th, 2021. And that's through district three, but I don't know. Is there a process that has to go through brown county first, then it goes to this district three and then it doesn't go to like the seventh district.
- If I may.
- Yes, you may.
- My appellate attorney filed a appeal directly with the circuit court, trying not to expand upon this too much, but she had found multiple errors. She filed only using two of them. When that was rejected by the circuit court judge, she filed a no merit report. I responded to the no merit report and it took over two years after my response to get a response back from the court of appeals. I believe a lot of it has to do with this COVID situation. And that was the first response back from court of appeals. Was this a letter that I sent that saying that they do believe my case has so American.
- There was an order that was issued from the court of appeals on October 5th. That's the most recent activity. I'm not sure what that order was stating or directing the service.
- Yeah, that's the one that was included, I think in his packet, which said, yeah, it is ordered that the no merit report is rejected. The appeal is converted to a merit appeal and the case number is amended. So.
- So that would, that would allow the parties to submit briefs and get back on the briefing calendar.
- Okay. Okay. Well, this is what I'm just going to say right now to actually Jason and the board Jason, because you haven't had any treatment and you, you say this is an appeal year. You can't go through that at this moment. That is one thing that we really do take into consideration is about whether or not you've received treatment, which makes us more comfortable releasing you back into the

community. So right now I'm feeling a little bit apprehensive about allowing while even passing emotion for you to live at this address because of this stuff here but that's just how I feel. I'm not sure how any of the board members feel right now.

- Unfortunately, like I say, I'm living at a GOP right now and my I've already had an extension of 30 days. And I do not believe because they are full up here that I can get another extension. And if I am denied and also I had put down just to hold this apartment, I put down \$700 and was told I had to put the utilities in my name already. And if I am denied the apartment, I'm unfortunately going to end up homeless.

- Again. That's just my opinion. At this moment, we have three other board members here where eventually we'll take a bolt, but I wanted to know if our board members wanted to discuss anything about it.

- I guess I have similar concerns.

- Okay ,go ahead.

- I do understand that my charges are what I was convicted, Grover serious. I put myself in an unattainable situation and I do not wish to put myself into a situation like that. Again, I actually intent on installing wireless security cameras throughout there, around the apartment, just so and I have been following the direction of my parole, officer, parole agent, been following everything that I can trying to do the best I can and staying within all the restrictions that I have. I just am basically, I'm begging that I am given this opportunity to live in an apartment where I can actually have a place to be otherwise. Like I said, I am basically homeless and I do not want that. I, my oldest daughter was going to call in or join via the conference, but it wasn't allowing her. I don't know why.

- Well, Jason, that part, we really mean, we all understand your, your concerns, but we have certain things that we have to make sure that you have met or laws to allow you to live back in the community. Like buy-side. And like face said, we are concerned that you haven't had any treatment and maybe it is your case. We'll go to the appeals and your conviction will be overturned. And then maybe you wouldn't need to be getting approval for, to live in front of the board. But again, for myself, and I think I, for our faith right now, we're not comfortable because you have not received any kind of treatment. So I do see that your brother is on. Right. And you said it was your brother.

- And. He'd like to say something on your behalf.

- Okay. And if anybody has any questions.

- Hold on, Joseph, if you could just please state your full name and address for the record.

- Joseph J. Paul 1149 south Oakland avenue.

- Okay, go ahead.

- I guess, you know, I'm here for moral support for him and if anybody has any questions and I've been sitting here listening, I guess my question, you know, I don't want to expect Jason to have an

answer or for the board that I have an answer, but if you spend five years in prison, how come he was never given the opportunity to take the treatment? To me sounds like the actual legal system.

- Actually, as I stated, they refuse to give me treatment because my case is under appeal.

- Where were you? Incarcerated?

- OSH Kosh correctional institution. And they, they said they brought me in and they said, your case is under appeal. I said, yes, we can not give you treatment.

- What is your, what kind of re how is your probation officer treating you, treating you as a sexual offender and you have all those restrictions.

- Yes, I do. I am restricted as to the times I can go to where I can go. Or I cannot be at, you know, I can not go to the mall without a silver chaperone, no contact with anyone under the age of 18. I've been following those restrictions, even just visiting my oldest daughter, who is 21, I've been filing a sex offender request, activity requests.

- I have a question. Have you ever looked into possibly getting any treatment yourself?

- from my understanding any kind of treatment that I would be, or would require me to admit guilt, which would therefore violate my sixth amendment rights? So I've thought about it. I even asked, but when they said treatment will require me to admit guilt, I'm not saying that everything, I can't get into it without making it sound one way or the other, I'm not trying to lay blame with anyone. I know I made an error that morning and what I did do, and I shouldn't, but, and trust me, I have no desire to put myself in any type of situation that can be even misconstrued as something inappropriate as that. I, I cannot even begin to say how difficult and how much I've, how much this has destroyed my life and just having this low label and trying to pick up my P pick up the pieces of my life and put it back together. And that is why I'm begging that this apartment be allowed or that I be allowed to live at this apartment just so I can work on getting my life back together and becoming a citizen. But I can't think of the proper terms, a good citizen of the community and just a member of the community that is working hard, trying to do everything I can to become just a member of the community that helps people. I mean, that's all I want to do. I've been, I've seen several people that are homeless that are hungry. I've been giving them what I can just, like I say, I'm begging that I get this opportunity from you guys to prove that, even though I haven't had treatment I'm not a threat to the community.

- Is there any more questions from the board or would anyone like to make a motion?

- The question I had to vote with the courts, they was rolling with the cards. No dumb question.

- Any idea? No, I really do not have any idea how long it would take at all. I was red on the paperwork. I was supposed to get a, a new appellate attorney within 20 days or reason why they won't, you'll be within 45 days. The next attorney's supposed to file a brief with the court, but I don't know what that brief is going to be. You know, if they're going to be able to do that, Brief or not in 45 days. And then I don't know what's going to happen. How long that's going to sit in front of the court. It took two and a half years just to get to my case, to begin with.

- I have a legal question. If he's, he would like you went to trial and you were at, you were in, you were in said you were guilty, but now there's the appeal. So legally is he guilty or not guilty? at this point?

- Although the ordinance reads anyone who has been found guilty of a child sex offense, and as a result of that order has to register as a sex offender would need to come in front of this board. So right now the last court order is that he has been found guilty. That could be overturned by the court of appeals, but until that's, until that happens, he has been found guilty by a jury of his peers. So that's why he has to appear in front of the board today. If, if his conviction was overturned, the ordinance wouldn't apply to him anymore, and he would not need approval of the board to live within the restricted areas.

- Thank you. You have any, okay. Anything more?

- Would it be possible to do something as far as doing something month to month and until something happens with the courts?

- Well, even you could make that type of motion if you want. And then we would have to vote on that. I think that's, in my opinion, that's kind of risky for him to enter into a lease where he may have to vacate prior to, you know, the time being up. But by all means you have that option to make that motion.

- Thank you.

- Have you signed a one-year lease Or, or month to month?

- I believe it is a month to month. I do not have the lease in front of me. I apologize for that.

- Does anyone want to try to make a motion? Well, I'm going to make a motion. I am going to deny Jason to move to 4 25 bed street address specific. Is there a second? Okay. That motion has failed. I would like to make a motion that we allowed Jason to move to the address specific place and come back in 30 days and do a review to see if anything's happened with this case. Is there a second, second?

- I'll second that

- All in favor? Aye.

- Aye.

- Aye.

- Aye.

- Opposed?

- Opposed. Okay. So Jason, you are able to move to that address and you need to report back to us in 30 days.

- Okay. How do I report back to you in 30 days via zoom, or written communications?
- You don't need to reapply, correct? Deanna. You just be on the agenda automatically.
- We'll automatically put him on the November 17th agenda. So I will send you a letter with the instructions for that meeting. And it's basically a reminder that you need to be on that call for the November 17th meeting.
- Okay. Thank you.
- You're welcome.
- And I would say, if you can get any information of where you are, the process that would be helpful too
- The only information I have is I haven't even been contacted by another attorney yet. So, and that should, I should be getting a letter or some sort of information within the next week or two, but as to anything else that I do not have some.
- Are you getting public defender appointed attorney, or are you hiring an attorney?
- It should be a public defender appointed attorney. I looked into trying to hire an attorney and an appellate attorney is 30 to \$50,000 just for every painter. And I do not have that.
- I was just wondering from a timing perspective.
- Well, thank you, Jason. We'll send you something in the mail.
- All right Thank you
- Okay. Is there any discussion now we need to talk about from the board? No. Okay. Our next meeting is scheduled for November 17, at 4:00 PM. I do want you all to know I will not be available for that meeting. So if some, somebody could assume my duties, I would appreciate that. All right. And then is there a motion to adjourn? The meeting
- I'll make a motion to adjourn.
- Is there a second?
- I'll second the motion
- all in favor. Aye.
- Aye.
- Aye.

- Opposed.? Okay. Thank you. I'll see everybody in December.
- Thank you. Thank you everybody.